

violated 14 C.F.R. 61.15.² We deny the appeal.

On November 8, 1994, respondent pled guilty in Federal court to conspiracy to import cocaine, a felony. Respondent was arrested in Columbia in June 1985, and extradited to the U.S. for trial. Respondent is now incarcerated.

Respondent's appeal raises the same issues he has repeatedly raised before the law judge, and we need add little to the law judge's two decisions.

This proceeding does not result in double jeopardy. Double jeopardy precludes successive criminal prosecutions for the same act(s). This is an administrative proceeding, to which principles of double jeopardy simply do not apply. Administrator v. Franklin, 3 NTSB 978 (1978).

This proceeding does not result in ex post facto application of law. Again, this Constitutional principle applies to matters of criminal, not administrative law. Administrator v. Zukas, NTSB Order No. EA-4464 (1996). In any case, it is irrelevant if the § 61.15 regulation was adopted 10 days after respondent's arrest in Columbia. Even prior to adoption of that regulation,

² Section 61.15 provides, as pertinent:

§ 61.15 Offenses involving alcohol or drugs.

(a) A conviction for the violation of any Federal or state statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marihuana, or depressant or stimulant drugs or substances is grounds for -

* * *

(2) Suspension or revocation of a certificate or rating issued under this part.

precedent supported certificate revocation for narcotics convictions. Administrator v. Hernandez, NTSB Order No. EA-3821 (1993).

This proceeding also does not violate respondent's described extradition "rule of speciality." First, there is no indication that extradition principles preclude civil or other administrative proceedings stemming from the criminal matter. Second, this administrative proceeding derives from no matter other than the one for which he was extradited.

Finally, respondent was not denied due process. The complaint is not stale when it legitimately alleges issues of lack of qualification. 49 C.F.R. 821.33. Respondent has been given a full and fair hearing. The Board is not obliged to guarantee him a complete law library at his disposal.³ We have nevertheless ensured, despite respondent's pro se representation, that all relevant issues have been thoroughly considered.⁴

Violation of § 61.15 follows from respondent's felony conviction. The only remaining issue is sanction. Respondent offers no argument, persuasive or otherwise, against revocation as the appropriate sanction and we see none. Administrator v. Piro, NTSB Order No. EA-4049 (1993).

³ Respondent's reference to stale complaints would appear to belie his assertion of lack of access to NTSB research materials. Information we provide immediately to all respondents indicates that it is "advisable" to have counsel.

⁴ For example, we have given respondent considerable latitude in pleading, including accepting his unauthorized September 17, 1996 reply to the Administrator's reply.

ACCORDINGLY, IT IS ORDERED THAT:

1. Respondent's appeal is denied; and
2. The revocation of respondent's pilot certificate shall begin 30 days from service of this order.⁵

HALL, Chairman, FRANCIS, Vice Chairman, HAMMERSCHMIDT, GOGLIA, and BLACK, Members of the Board, concurred in the above opinion and order.

⁵ For the purpose of this order, respondent must physically surrender his certificate to a representative of the Federal Aviation Administration pursuant to 14 C.F.R. 61.19(f).